

Exhibit 1

Torch Electronics, LLC's Motion to Stay *Jim Turntine v.*
Torch Electronics, LLC, et al.
20SL-CC03000

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

JIM TURNTINE,

Plaintiff,

v.

**TORCH ELECTRONICS, LLC,
MIDWEST PETROLEUM CO, and
CRAWFORD COUNTY**

Defendants.

**Case No. 20SL-CC03000
Division 14**

DEFENDANT’S RENEWED MOTION TO STAY PROCEEDINGS

Defendant Torch Electronics, LLC (“Torch”), by and through its counsel, hereby moves the Court for its order staying this matter. In support of this Motion, Torch states:

1. Plaintiff seeks a declaratory judgment from this Court with respect to certain business operations of Torch (the “Torch Business Operations”), and to have the Torch Business Operations declared as an illegal gambling enterprise. Torch has vigorously denied and defended these claims raised by the Plaintiff.

2. Torch is currently the plaintiff in a case styled Torch Electronics, LLC, et al. v. The Missouri Department of Public Safety, et al., Cole County Circuit Court Case Number 21AC-CC00044, in which Torch seeks to have the Cole County Circuit Court declare and adjudge that the Torch Business Operations are legal and appropriate under current Missouri law.

3. Per the direction of the Cole County Circuit Court, the parties are preparing a scheduling order in anticipation of the March 13, 2023 status conference.

4. If the Cole County Circuit Court determines that the Torch Business Operations are legal and appropriate under current Missouri law, then this lawsuit should be dismissed.

5. It is uneconomical to have this case continue while the Cole County Circuit Court will, or should, make a final determination on the legality of the Torch Business Operations. Additionally, allowing this case to continue may result in conflicting decisions that may improperly impact the Cole County Circuit Court action.

6. Staying these proceedings until such time as the Cole County Circuit Court has ruled on Torch's claims is proper.

7. Staying these proceedings until such time as the Cole County Circuit Court has ruled on Torch's claims will not harm the Plaintiff as the Plaintiff is merely filing, as he has stated to the Court, a derivative style action for the taxpayers of Crawford County, Missouri. Since the Plaintiff has not pled or demonstrated any direct pecuniary loss or damage to himself, personally, the Court staying this action will not cause him any unnecessary harm or damages.

8. Staying these proceedings will also aid judicial economy and prevent the Defendants from incurring unnecessary legal costs, litigation expenses, and attorney fees in having to defend this action, which may be rendered moot by the decision and judgment of the Cole County Circuit Court.

Accordingly, Torch Electronics, LLC, moves the Court for its Order staying this action during the pendency of the Cole County Circuit Court action; and for such other orders and relief the Court deems just and proper.

Respectfully Submitted,

SIGMUND BROWNING, LLC

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ATTORNEYS FOR DEFENDANT TORCH
ELECTRONICS, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served via the Court's electronic filing system on March 1, 2023, to: Elkin L. Kistner and William E. Kistner, Bick & Kistner, PC, 101 South Hanley Road, Suite 1280, St. Louis, MO 63105 and Andrew M. Lammert, Attorney at Law, 825 Maryville Centre Drive, Suite 300, Town & Country, MO 63017-5946.

/s/ Jessica N. Klaus